

B.) Remarks

Considering firstly the rejection of claims 11-15 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 11-24 of copending application No. 09/935,973 in view of Sheehan and Decker, Jr. et al (Decker). applicant's attorney inquired in a telephone conversation with the examiner as to the identification of the Sheehan reference. The examiner stated she intended to rely upon Janes et al (Janes) patent No. 5,333,527 (of record) and to ignore all references to Sheehan.

Applicant respectfully traverses the provisional double patenting rejection on the basis that none of claims 11-24 of the copending application recites recesses in the core plate or a core plate covered by a fibre laminate, such laminate also overlying the recess. The examiner acknowledges that Janes does not disclose a low density core plate, but takes the view that Decker does and refers to column 5, lines 20-45 of Decker in support of this position. However, It does not appear to applicant that the cited portion of the Decker specification provides support for the conclusion that the core plate of Decker is of low density material. The braces referred to in column 5, line 20 et seq are described as possibly being somewhat smaller and lighter than wooden (e.g., spruce) braces, but earlier in column 5, lines 10-14, the braces are said to be of "conventional cross-section and shape, but are preferably made of vacuum-pressed graphite/epoxy. This material is produced under pressure and

has an extremely high density of fibres, mostly unidirectional." Quite apart from the fact that the braces are not the core plate, it is clear that Decker teaches the formation of braces of high density material. It is respectfully submitted that nothing in the disclosure of Decker would lead one to believe that the soundboard is comprised of a low density core plate.

Considering the double patenting rejection, it is true, as the examiner states, that the claims of this application and the claims of the copending application on which the examiner relies recite a soundboard comprising a core plate and fibre coatings that are multidirectional. However, the claims of the copending application make no reference to the density of the core plate or to the provision of recesses in such core plate that are covered by a fibre laminate. Accordingly, the invention claimed in the copending application can be practiced without infringing the claims of the present application, and vice versa. Further, since neither Janes nor Decker discloses or suggests the characteristics of the claims of this application which distinguish the invention over the claims of the copending application, it is submitted that the double patenting rejection should be reconsidered and withdrawn.

The rejection of claims 6-15 under 35 USC 103(a) as being unpatentable over Janes in view of Decker is respectfully traversed. Claim 6, the only independent claim, recites a soundboard comprising a low density core plate having two opposite faces and a fibre laminate overlying and

adhered at least to one of such faces. These recitations, when considered with the subsequent recitation that the core plate has at least one recess wholly within the confines of the core plate make it clear that the laminate overlies the recess. The only recess shown by Janes is the soundhole, and such recess cannot be covered by any laminate because doing so would make it impossible for sound waves to travel from the inside to the outside of the guitar corpus. If the examiner considers the spaces between the rib-like indentations 26 of Janes to correspond to the recesses it is clear that such recesses are not provided in the core plate. Further, characterizing the strengthening ribs 26 as recesses is considered to be a distortion of the terminology relating to such ribs.

It is respectfully submitted that the grounds on which claim 6 have been rejected are not tenable. Accordingly, it is respectfully submitted that the rejections should be withdrawn.

All of the remaining claims depend, ultimately, on claim 6 and, accordingly, distinguish over the references for the same reasons given in support of the parent claim. The dependent claims distinguish over the parent claim and over one another by reciting certain characteristics of applicant's construction in greater detail.

It is believed this application is in condition for allowance. Such action is requested.

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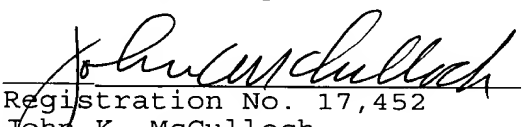
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Respectfully submitted,

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